

1 **CHRISTOPHER B. DUPONT**  
SBN#014158  
2 **TRAUTMAN DUPONT, PLC**  
1726 North Seventh Street  
3 Phoenix, Arizona 85003  
Tel: 602.344.0038  
4 Fax: 602.344.0043  
dupontlaw@cox.net  
5 Attorney for Victims

2:00 **FILED** PM  
DEC 10 2010  
BY JEANNE DONNA McQUALITY  
Deputy

6 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
7  
8 **IN AND FOR THE COUNTY OF YAVAPAI**

9  
10 STATE OF ARIZONA,  
11  
12 Plaintiff,

13 vs.

14 STEVEN CARROLL DEMOCKER,  
15 Defendant.

Case No. P1300CR20081339

**REQUEST TO UNSEAL  
DOCUMENTS AND TRANSCRIPTS  
FOR VICTIMS' ATTORNEY**

**FILED UNDER SEAL**

Honorable Thomas Darrow Division 6

17 Come now the victims Charlotte Rose and Katherine Gray DeMocker, by and through  
18 undersigned counsel, and request this Court unseal documents and transcripts and allow  
19 distribution to the attorney, Chris Kottke.

20  
21 During the course of the proceedings, the prosecution has repeatedly and consistently  
22 violated victims' rights, as demonstrated by even a cursory review of the record. The most recent  
23 violation involves "intimidation, harassment and abuse throughout the criminal justice process."  
24 Article II, §2.1.1, Arizona Constitution. The abuse has become so pronounced that the  
25 prosecution has now falsely and maliciously accused the victims, the victims' attorneys, then

**RECEIVED**

AUG 18 2011

**DIVISION 6**

1 father's attorneys, and who know who else of all manner of criminal conduct. Mind you: these  
2 accusations are aimed at the most well-respected and prominent attorneys in the United States.

3 The accusations have taken several forms, as the prosecution has desperately attempted to  
4 derail their misguided prosecution of Steven DeMocker; **the sealed documents relevant to**  
5 **these proceedings are as follows:**

- 6 - State's Motion for Determination of Counsel filed July 12, 2010<sup>1</sup>
- 7 - Motion for Protective Order filed August 2, 2010
- 8 - Memorandum filed August 6, 2010
- 9 - State's Response to Defendant's Motion to Dismiss with Prejudice filed August 2, 2010

10 **In addition, the following sealed documents are relevant and the subject of this**  
11 **motion:**

- 12 - Defendant's Motion to Dismiss with Prejudice<sup>2</sup>
- 13 - Reply in Support of Motion to Dismiss with Prejudice
- 14 - Defendant's Position on State's Motion for Determination of Counsel
- 15 - Defendant's Bench Memorandum on Procedures for Determining if an Unwaivable
- 16 Conflict Exists

- 17 - Transcript of Proceedings, July 9, 2010
- 18 - Transcript of Proceedings, July 14, 2010
- 19 - Transcript of Proceedings, August 3, 2010
- 20 - Transcript of Proceedings, August 4, 2010

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<sup>1</sup> Chris Kottke received a copy of this pleading as attached to the State's  
24 ill-conceived Notice of Irregularities filed In the Matter of the Estate of  
25 Virginia Carol Kennedy. On information and belief, the Notice was dismissed  
out of hand by Judge Mackey.

<sup>2</sup> Undersigned Counsel does not have a copy of such pleading but believes such  
filing exists based upon receipt of a Response and a Reply to said pleading.

1 The victims have a right to counsel in the proceedings before the court. A.R.S. §13-4437.  
2 Both Charlotte and Katherine have retained undersigned counsel to represent them in the above-  
3 titled proceedings. In addition, Katie has retained counsel to represent her In the Matter of the  
4 Estate of Her Mother; that counsel is Chris Kottke. As if Katie has not been through enough  
5 with the murder of her mother and the arrest and trial of her father, the state has now made  
6 allegations referenced above in the context of her actions - with the advice of Chris Kottke -  
7 regarding her mother's estate and resulting pour-over trust.

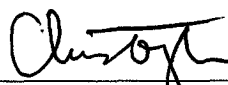
8 Meanwhile, there remains some prospect Katie may be called as a witness regarding the  
9 trust and estate.

10 Given the state's continued harassment and intimidation, Katie has reason to fear the state  
11 will stop at nothing to convict her father, including accusing her of criminal conduct. As a result,  
12 she must be able to consult counsel not just to assert her victims' rights but to assure her right to  
13 counsel pursuant the Fifth Amendment of the United States Constitution and Article 2, §24 of the  
14 Arizona Constitution. To be able to truly assert her rights, she must be able to meaningfully  
15 consult with both Chris Dupont and Chris Kottke.  
16

17 Therefore, the victims request this Court unseal the listed documents (and any that may  
18 have been inadvertently omitted) for purposes of consulting with Chris Kottke.  
19

20 Respectfully submitted this 10<sup>th</sup> day of ~~November 2009~~ *August, 2010*  
21

22 TRAUTMAN DUPONT PLC

23 By   
24 Christopher B. Dupont  
25 Attorney for Victim

Original Mailed for Filing this  
10<sup>th</sup> day Of August 2010, to:

Clerk of Court, Yavapai County - *Through Judge Darrow*

Copies e-mailed this  
same date, to:

Judge Darrow

Joseph Butner, Esq.  
Attorney Pappour  
Yavapai County Attorney  
255 East Gurley Street  
Prescott, AZ 86301-3868

Larry Hammond  
Anne Chapman  
Osborn Maledon PC  
2929 N. Central Ave., 21<sup>st</sup> Floor  
Phoenix, Az. 85012

John M. Sears  
PO Box 4080  
Prescott, AZ 86302-4080

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